

Appl. Serial No. 09/846,797
Amendment dated Dec. 16, 2003
Reply to Office Action of Aug. 12, 2003

AMENDMENTS TO THE CLAIMS:

The following listing of claims will replace all prior versions, and listings, of claims in the Application.

Listing of Claims:

1-12. **(Cancelled)**

13. **(Previously Presented)** A composition for detecting the nucleic acids of a yeast that is any of *C. albicans*, *C. tropicalis*, *C. dubliniensis*, *C. viswanathii* and *C. parapsilosis*, said composition comprising an oligonucleotide probe having the length and sequence of SEQ ID NO:1 or the complement thereof or the length and sequence of SEQ ID NO:5 or the complement thereof, and optionally a non-complementary sequence that does not hybridize to the nucleic acids of said yeast.

14. **(Cancelled)**

15. **(Original)** The composition of Claim 13, wherein said oligonucleotide probe comprises DNA.

16. **(Currently Amended)** The composition of Claim 13, wherein the sequence of said oligonucleotide probe consists of SEQ ID NO:1 or SEQ ID NO:5 and does not include said optional non-complementary sequence.

17. **(Previously Presented)** The composition of Claim 13, wherein said oligonucleotide probe further comprises a detectable label.

18. **(Original)** The composition of Claim 16, wherein said oligonucleotide probe further comprises a detectable label.

19. **(Original)** The composition of Claim 17, wherein the detectable label is a chemiluminescent label or a radiolabel.

20. **(Original)** The composition of Claim 18, wherein the detectable label is a chemiluminescent label or a radiolabel.

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21. **(Original)** The composition of Claim 20, wherein the detectable label is a chemiluminescent label, and wherein the chemiluminescent label is an acridinium ester.
22. **(Original)** The composition of Claim 18, further comprising at least one helper oligonucleotide.
23. **(Original)** The composition of Claim 22, wherein said at least one helper oligonucleotide includes at least one nucleotide analog.
24. **(Original)** The composition of Claim 23, wherein said at least one nucleotide analog comprises a ribose moiety having a methoxy group disposed at the 2' position.
25. **(Currently Amended)** The composition of Claim 22, wherein said at least one helper oligonucleotide has [[a]] ~~the sequence selected from the group consisting of SEQ ID NO:2, SEQ ID NO:3, SEQ ID NO:4 and SEQ ID NO:6.~~
26. **(Withdrawn)** A method of determining whether an organism in the genus *Candida* is present in a test sample, said method comprising the steps of:
 - (a) providing to said test sample a composition in accordance with Claim 13;
 - (b) hybridizing under a high stringency condition any nucleic acid that may be present in the test sample with said composition to form a probe:target duplex; and
 - (c) detecting said probe:target duplex, whereby it is determined that an organism that is any of *C. albicans*, *C. tropicalis*, *C. dubliniensis*, *C. viswanathii* and *C. parapsilosis* is present in the test sample.
27. **(Withdrawn)** The method of Claim 26, wherein the sequence of said oligonucleotide probe in step (a) consists of SEQ ID NO:1 or SEQ ID NO:5.
28. **(Withdrawn)** The method of Claim 27, wherein said test sample may comprise yeast cells, and wherein before step (a) there is a step for releasing nucleic acid from any yeast cells that may be present in said test sample.
29. **(Withdrawn)** The method of Claim 26, wherein said test sample is a lysate.
30. **(Withdrawn)** The method of Claim 26, wherein said high stringency condition in step (b) comprises 0.48 M sodium phosphate buffer, 0.1% sodium dodecyl sulfate, 1 mM each of EDTA and EGTA.

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31. **(Withdrawn)** The method of Claim 26, wherein said high stringency condition in step (b) comprises 0.6 M LiCl, 1% lithium lauryl sulfate, 60 mM lithium succinate and 10 mM each of EDTA and EGTA.

32. **(Withdrawn)** The method of Claim 27, wherein the oligonucleotide probe in step (a) comprises a detectable label.

33. **(Withdrawn)** The method of Claim 32, wherein the detectable label is an acridinium ester, and wherein step (c) comprises performing luminometry to detect any of said probe:target duplex.

34. **(Withdrawn)** The method of Claim 32, wherein said composition in step (a) further comprises at least one helper oligonucleotide.

35. **(Currently Amended)** The method of Claim 34, wherein said at least one helper oligonucleotide ~~has the sequence of is selected from the group consisting of SEQ ID NO:2, SEQ ID NO:3, SEQ ID NO:4, and SEQ ID NO:6.~~

36. **(Withdrawn)** A kit for detecting the presence of nucleic acids from any of *C. albicans*, *C. tropicalis*, *C. dubliniensis*, *C. viswanathii* and *C. parapsilosis* in a test sample, said kit comprising:

- (a) a composition in accordance with Claim 13; and
- (b) at least one helper oligonucleotide.

37. **(Currently Amended)** The composition of Claim 13, wherein said oligonucleotide probe includes said non-complementary sequence, ~~and wherein said non-complementary sequence is selected from the group consisting of a promoter sequence, a restriction endonuclease recognition site, a sequence that confers a secondary structure, and a sequence that confers a tertiary structure.~~

38. **(New)** The composition of Claim 37, wherein said non-complementary sequence is selected from the group consisting of a promoter sequence and a restriction endonuclease recognition site.